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Attorney for Plaintiff  
ROBERT W. ZUCHOWSKI

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

\*E-FILED - 1/10/07\*

ROBERT W. ZUCHOWSKI,  
  
Plaintiff,  
  
v.  
  
ENHANCED RECOVERY  
CORPORATION, a Delaware corporation,  
  
Defendants.

Case No. C06-06310-RMW-RS

**STIPULATION OF DISMISSAL  
WITH PREJUDICE AND  
[] ORDER**

Fed. R. Civ. P. 41(a)(1)

Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff, ROBERT W. ZUCHOWSKI, and Defendant, ENHANCED RECOVERY CORPORATION, stipulate, and the Court hereby orders, as follows:

1. The dispute between the parties has been settled, therefore, the claims asserted by Plaintiff, ROBERT W. ZUCHOWSKI, against Defendant, ENHANCED RECOVERY CORPORATION, in the above-captioned proceeding are hereby dismissed, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1).

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1 Dated: January 3, 2007

/s/ Fred W. Schwinn  
Fred W. Schwinn, Esq.  
Attorney for Plaintiff  
ROBERT W. ZUCHOWSKI

4 Dated: January 3, 2007

/s/ Stephen J. Kottmeier  
Stephen J. Kottmeier  
Attorney for Defendant  
ENHANCED RECOVERY  
CORPORATION

7 THE FOREGOING STIPULATION  
8 IS APPROVED AND IS SO ORDERED.

9 Dated: 1/10/07

/s/ Ronald M. Whyte  
The Honorable Ronald M. Whyte  
Judge of the District Court